

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Renee Smith, Individually and on behalf of all
others similarly situated

V.

PHH Corporation, PHH Mortgage Services, and
Does 1- 20

SUMMONS IN A CIVIL ACTION

JUDGE KOELTL

CASE NUMBER:

08 CV 3018

TO: (Name and address of Defendant)

PHH Corporation, 3000 Leaderhall Road, Mount Laurel, New Jersey
08054

PHH Mortgage Services, 3000 Leaderhall Road, Mount Laurel, New
Jersey 08054

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Zraick, Nahas & Rich
Stuart E. Nahas, Esq.
303 Fifth Avenue
Suite 1201
New York, New York 10016
(212) 686-0855

Milstein, Adelman & Kreger, LLP
Wayne S. Kreger, Esq.
2800 Donald Douglas Loop North
Santa Monica, California 90405
(310) 396-9600

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON


MAR 25 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>4/3/08 9:35 am</u>	
NAME OF SERVER (PRINT) <u>RICHARD PHILLIPS</u>	TITLE <u>Process Server</u>	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): </div> <div style="text-align: right;"> <u>3000 LEADENHALL RD.</u> <u>MT. LAUREL, NJ 08054</u> <u>TO: GINA GIOVINAZZI - PARALEGAL</u> </div> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <u>\$0.00</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> Executed on <u>4/03/08</u> <small>Date</small> </div> <div style="text-align: center;">  <small>Signature of Server</small> </div> </div> <div style="text-align: center; margin-top: 40px;"> <hr style="width: 80%; margin: 0 auto;"/> <small>Address of Server</small> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
COUNTY OF NEW YORK

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: ZRAICK, NAHAS & RICH ESQS. PH: 212-686-0855

Address: 303 5TH AVENUE NEW YORK NY 10016 File No.:

RENEE SMITH, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

vs

Plaintiff(s)/Petitioner(s)

PHH CORPORATION, ET Ano

Defendant(s)/Respondent(s)

STATE OF New Jersey, COUNTY OF Camden SS.: **AFFIDAVIT OF SERVICE**

, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years

of age and resides in New Jersey. On April 3, 2008 at 9:35am,at 3000 LEADENHALL RD, MT. LAUREL, NJ 08054, deponent served the withinSummons and Complaint with Civil Cover Sheet, Individual Practices of Judge John G. Koeltland Judge Michael H. Dolinger, Procedures & Guidelines for Electronic Case Filing.on: PHH CORPORATION, Defendant therein named.#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION ☒ By delivering thereat a true copy of each to Gina Giovinnazzi personally, deponent knew the person so served to be the AGENT AUTHORIZED of the corporation, and authorized to accept service on behalf of the corporation.#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New Jersey.#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Female Color of skin: White Color of hair: Black Age: 30 - 40 Yrs. Height: 5' 4" - 5' 8"
Weight: 131 - 160 Lbs. Other Features: _____#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New Jersey and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military#9 OTHER ☐Sworn to before me on April 4, 2008

Server's Lic #

Invoice/Work Order # 08008695